

REMARKS**The Objections**

The Examiner has objected to claims 72 and 81 for informalities, but these claims have been cancelled in the current response. Thus, the objection has become moot.

The Double Patenting Rejection

The Examiner has rejected to claim 1 on the ground of nonstatutory obviousness-type double patenting over claim 1 of U.S. Patent No. 6,762,747. Claim 1 has been cancelled. Thus, the rejection has become moot.

The Section 102 Rejections

The Examiner has rejected claims 56, 62, 65, 71 through 74 and 80 through 82 under 35 U.S.C. §102(e) as allegedly being anticipated by the Takekawa reference. The Examiner has pointed out Figures 4 and 8 as well as disclosures at lines 52 through 67, column 7; lines 34 through 52, column 8 and lines 1 through 42, column 16 of the Takekawa reference for allegedly anticipating the above listed claims.

In response to the above rejections, claims 62, 71, 72, 73, 80, 81 and 82 have been cancelled in the current response. Thus, the rejections of these claims have become moot.

With respect to claims 56, 65 and 74, amendment has been made to overcome the pending section 102 rejections. Each of newly amended independent claims 56, 65 and 74 now explicitly recites “within a predetermined time period” in connection to “sequentially and individually activating the light emitting elements.” The amendment has been supported by the original disclosure of the current

emitting elements.” The amendment has been supported by the original disclosure of the current application. For example, with respect to FIGURE 14, lines 8 through 10 and lines 28 and 29 on page 16 of the original disclosure respectively provide that the LEDs are sequentially activated in the step S2 while each of the LEDs is turned off after a predetermined amount of time.

In sharp contrast, the Takekawa reference fails to anticipate the above amended subject matter limitations. The Takekawa reference discloses an array of LED's and corresponding photo transistors for detecting an object with respect to Fig 8. Although the corresponding description in column 16 discloses the interruption of the light emitted from a LED by an object such as a finger, there is no additional information as to how a plurality of the LED's is activated. In fact, the lines 1 through 12 in column 16 teaches the operation as disclosed with Fig 7 is applied to the inputting/detecting apparatus of Fig 8.

FIGURE 7 of the Takekawa reference discloses a pair of the right and left optical units for determining an angle between an object and the respective optical unit. Although this principle can be used to pairs of the LED's and the corresponding photo transistors of the apparatus of Fig 8, the Takekawa reference fails to disclose or teach the amended subject matter limitations of “sequentially and individually activating the light emitting elements within a predetermined time period.” Based upon the above reasons, the Applicant respectfully submits to the Examiner that the rejections of claims under 35 U.S.C. §102(e) should be withdrawn.

Claims 57 through 61, 66 through 70 and 75 through 79 have been objected, and their allowable subject matter has been indicated. Claims 57 through 61, 66 through 70 and 75 through 79 also ultimately depend from newly amended independent claims 56, 65 or 74 and incorporate the above discussed patentable feature of the current invention. Therefore, the Applicant respectfully submits to the Examiner that dependent claims 57 through 61, 66 through 70 and 75 through 79 should be also allowable.

Conclusion

In view of the above amendments and the foregoing remarks, Applicant respectfully submits that all of the pending claims are in condition for allowance and respectfully request a favorable Office Action so indicating.

Respectfully submitted,

/KIY/

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